

Misbranding of the article was alleged in the libel for the reason that being labeled in part "Half Gallon," whereas examinations showed shortages, the said statement was false and misleading, and deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not declared.

On July 17, 1919, Swinger & Binenstock, Philadelphia, Pa., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$55, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7454. Misbranding of Santal Midy. U. S. * * * v. 420 Bottles of * * * Santal Midy. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10645, 10732. I. S. Nos. 2801-r, 2802-r. S. Nos. W-426, W-427.)

On or about June 21, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 420 bottles of Santal Midy, consigned by E. Fougere & Co., New York, N. Y., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about September 28, 1918, March 10, 1919, and May 1, 1919, and transported from the State of New York into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Santal Midy * * * Essential oil of Sandalwood * * * prepared by Midy's process from freshly-felled Mysore sandalwood * * * there has been proved the value of this drug in the treatment of gonorrhea, gleet and discharges from the urinary organs * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements borne on the circular wrapped with and accompanying each bottle, regarding the curative and therapeutic effects of the article as a treatment for gonorrhœa, gleet, discharges of the urinary organs, inflammation of the bladder, suppurative nephritis, catarrh of the bladder, vesical catarrh of old age, and certain other diseases, were false and fraudulent, and were calculated to deceive and mislead the purchaser, in that the article contained no ingredient or combination of ingredients capable of producing any of the curative or therapeutic effects claimed for it.

On July 22, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7455. Adulteration of shell eggs. U. S. * * * v. 305 Cases of Shell Eggs. Consent decree of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered destroyed. (F. & D. No. 10648. I. S. Nos. 13301-r, 13302-r. S. No. E-1573.)

On June 19, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 305 cases of shell eggs, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been

shipped on or about May 28, 1919, and May 29, 1919, by S. H. Grinstead Co., from Greensburg, Lebanon, and Campbellsville, Ky., and transported from the State of Kentucky into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed animal substance.

On June 26, 1919, Armour & Co., Pittsburgh, Pa., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be subject to salvage under the direction of a representative of this department, the portion found fit for human food to be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, and such portion as might be found unfit for human food to be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7456. Misbranding of Black-Caps. U. S. * * * v. 11½ Dozen Packages of Black-Caps. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10676. I. S. No. 15758-r. S. No. E-1585.)

On June 27, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11½ dozen packages of Black-Caps, consigned on June 13, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Safety Remedy Co., Canton, Ohio, and transported from the State of Ohio into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Black-Caps Recommended for the Treatment of Affections of the Mucous Membranes. * * * The value of the several medicines used, whether singly or in composition, is recognized by eminent authorities as stimulant to the mucous membranes, rendering prompt service in the relief of inflamed or irritated conditions of the passages, through the medication of the exposed mucous surfaces. * * * Attesting the medicamentary efficacy of the component drugs entering into this prescription in the treatment of diseased Mucosa. The United States Dispensatory is quoted in effect: 'Copaiba—As a remedy it has been found useful in Catarrhs, particularly of a chronic character. It is given with advantage in Leucorrhœa, Chronic Cystitis, and Chronic Bronchitis. Cubebs—Has been given in Leucorrhœa, Cystorrhœa, Abscess of the Prostate Gland, and chronic Bronchitis. In connection with Copaiba it has been especially recommended in affections of the neck of the Bladder, and Prostatic portion of the Urethra. Saw Palmetto—There is much clinical testimony as to its value, and it probably acts by reducing the Catarrhal irritation, and relaxed condition of the Mucous membranes of the Bladder and Urethra.'"

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of cubebs, oil of copaiba, and an unidentified vegetable drug.

Misbranding of the article was alleged in the libel for the reason that the statements borne on the packages, regarding the curative and therapeutic effects of the article, as above set forth, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On November 3, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*